Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant



THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 113gb Axtell Road; County Road Number: 6030; State Geographic Information Database (SGID) Road Identification Number: RD210016.

This document supplements and supports the information contained in the document first recorded at **Doc** # 00344611, Bk 0561, Beg Pg 0061, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352430 Bk 0591, Beg Pg 0300. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of June, 200 8.

By the Governor's Designee

CERTIFICATION

State of Utah)	
	: ss	
County of Salt Lake)	

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg Dated this 25th day of fune, 200 8.

Panele 3. Blackham

Notory Public

Exhibit A

DOC # 00354922

Affidavits B: 0602 P: 0590
Jayrene B Nielsen Sevier County Recorder Page 2 of 9
07/01/2008 09:58:05 AMFee \$0.00By GOVERNOR OF THE STA

AFFIDAVIT OF H. ELWOOD SORENSON AXTELL ROAD

SEVIER COUNTY, UTAH

COUNTY ROAD NUMBER 6030, UNIQUE IDENTIFIER RS2477

State of Utah)
/ .	:
County of Jevur)

- 1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Sanpete County, Utah. I have lived in Sanpete County since I was born in 1922 and have been here except for the 5 years when I served in the military during World War II.
- Axtell Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1930's, it followed the same route as in present time when I last observed it. Attached is a Sevier County map showing the Axtell. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. I have traveled this road in my teens and early adult years; I rode it with my older brother who was a rider for the cattle association. During the 1930's this area was the known location of potential range wars between the sheep and cattlemen due to drought conditions. We hauled timber when we were young and drove cattle along the road for most of my life.
- 3. I am informed that the County also identifies this road according to the road number and unique identifier listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1930's and continuing through 1976 to the present time.

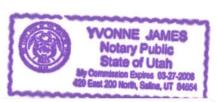
During this time period I have observed travel on the road by various means, including horseback, horse-drawn wagon, ATV's, automobiles, trucks, pickups, graders and loaders. During this time period, the road has been used daily.

- 5. During the time period from 1930's to the present, I have used the road myself for the following uses: ranching.
- 6. During the time period as described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: ranching, logging, sheep herding, hunting, ATV's, recreation such as hiking, camping and commerce. In the 1930's and 1940's the Great Western Salt Mine was located in this area and mined salt. The Railroad had a spur during that time which connected to the salt mine for transport. There was also lime rock mining.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1930's and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: cattleguards, culverts, along with location and directional signs and have witnessed the graveling of the road by both the BLM and the Sevier County Road Department.

DATED this ________, 2006.

N. Elwood Sorenson

SUBSCRIBED AND SWORN to before me this 17 day of October, 2006.

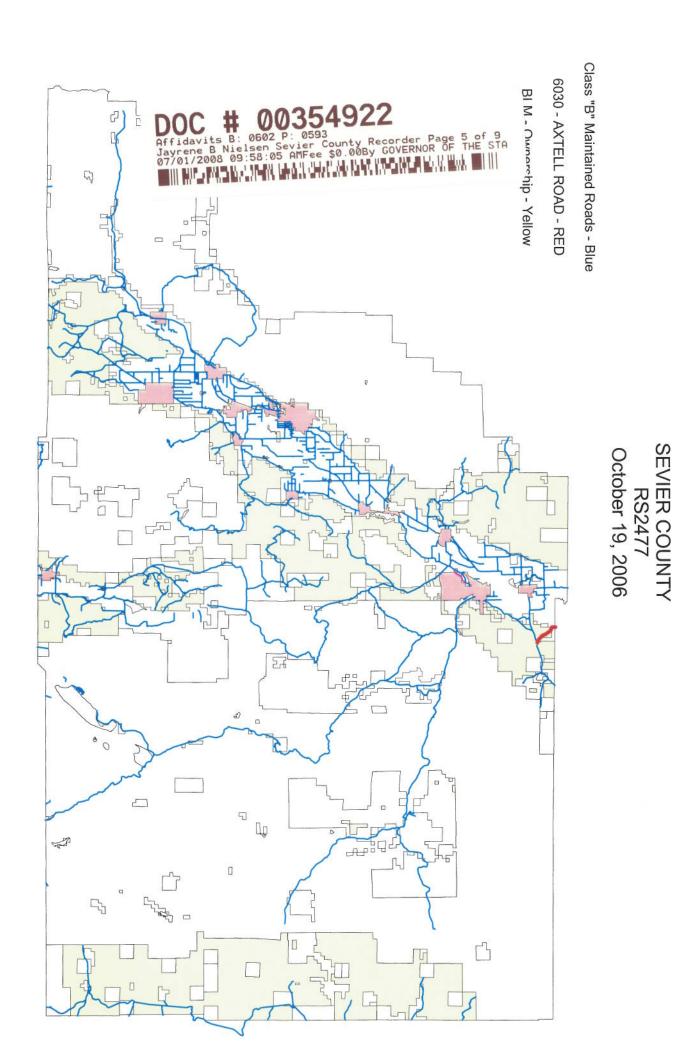


NOTARY PUBLIC /
State of Utali
County of Sevier
exp. 3-27-08

DOC # 00354922

Affidavits B: 0602 P: 0592

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07/01/2008 09:58:05 AMFee \$0.00By GOVERNOR OF THE STA



AFFIDAVIT OF TERREL NELSON AXTELL ROAD SEVIER COUNTY, UTAH COUNTY ROAD NUMBER 6030

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State of Otali	; ss.	Jayrene B Nielsen Sevier County Recorder Page 6 of 9 07/01/2008 09:58:05 AMFee \$0.00By GOVERNOR OF THE STA
County of Sevier)	■ 111 単元を表現されたとは他内には他内では、他の間は大きな場合には他の他にはなる。■1 111

TERREL NELSON, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Redmond, Sevier County, Utah. I have lived in Sevier County since 1934.
- 2. I have traveled and am familiar with a road in Sevier County known as the Axtell Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1944, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Axtell Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1944 and continuing through 1976 to 2006.

 Throughout this time period I have observed travel on the road by various means, including all vehicles. Throughout this time period, the road has been used daily.
- 5. Throughout the time period from 1944 to 2006, I have used the road myself for the following uses: Access from Axtell to Willowcreek.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following

uses: Mining, oil and gas exploration, prospecting for minerals, wood gathering, livestock operations, farming, logging, recreation, hunting, fishing, and traveling in and through the area.

- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1944 and continuing through 1976 to 2006, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I observed graders performing maintenance/construction activities on the road.

DATED this /5 day of November, 2006.

TERREL NELSON

SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.

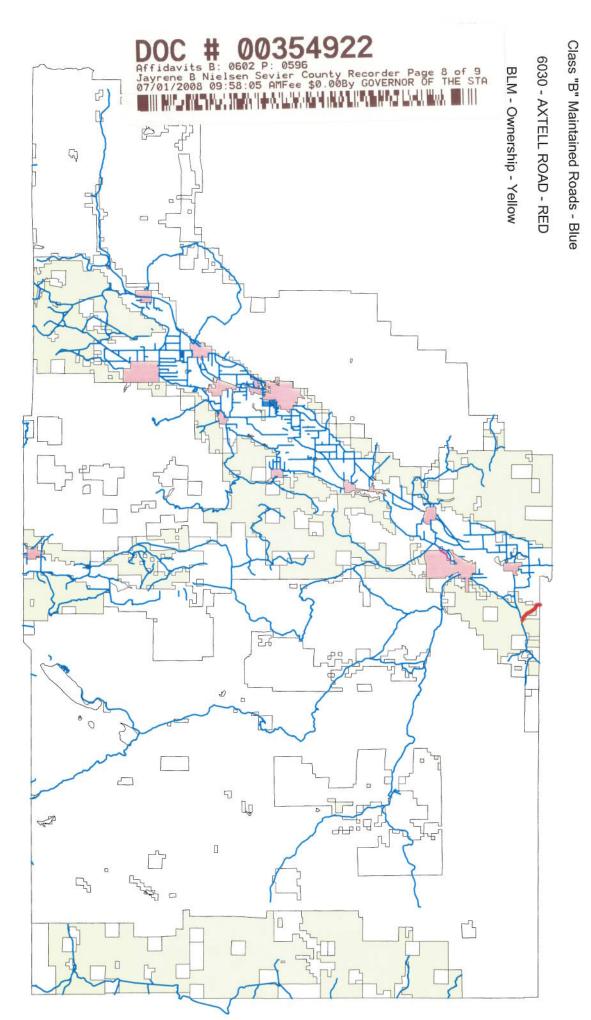
Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

DOC # 00354922

Affidavits B: 0602 P: 0595

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SEVIER COUNTY RS2477 October 19, 2006

Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: 113gb Axtell Road

County: Sevier

County Road Number: 6030

State Geographic Information Database (SGID) Road Identification Number: RD210016.

Total Road Length: 1.85 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 00 minutes 54.28 seconds North Latitude and -111 degrees 47 minutes 41.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,556,654.3 feet and Y = 6,810,125.0 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 02 minutes 00.98 seconds North Latitude and -111 degrees 48 minutes 56.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,550,700.4 feet and Y = 6,816,893.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 20 South Range 1 East, Section(s) 29,32,33, Salt Lake Base & Meridian Township 21 South Range 1 East, Section(s) 3,4, Salt Lake Base & Meridian

DOC # 00354922

Affidavits B: 0602 P: 0597

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